

ZONING RECLASSIFICATION APPLICATION

**Harford County
Board of Appeals**

Bel Air, Maryland 21014

RECEIVED

APR 10 1998

HARFORD COUNTY COUNCIL

Case No. 098 (276)

Date Filed 4-9-98 3:30 PM

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$ 700⁰⁰

Shaded Area For Office Use Only

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Farrell D. Whiteford Phone Number _____

Address 1605 Dooley Road Whiteford Maryland 21160
Street Number Street State Zip Code

Property Owner See Above. Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser Klein Family Development Corporation Phone Number 410-515-9303

Address 2101 Rockspring Road Forest Hill Maryland 21050
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch, Esq. & Lawrence F. Kreis, Jr., Esq. Stark and Keenan, P.A. Phone Number (410) 879-2222/838-5522

Address 30 Office Street Bel Air Maryland 21014
Street Number Street State Zip Code

Hearing: 8/27/98

Land Description

Address and Location of Property (with nearest intersecting road) Dooley Road, Whiteford
Northwest corner of Intersection of Dooley Road and Maryland Route 165.

Subdivision _____ Lot Number _____ Acreage/Lot Size 14.576 Election District 5

Existing Zoning GI Proposed Zoning B3 Acreage to be Rezoned 11.4

Tax Map No. 5 Grid No. 3B Parcel 276; Part of Parcel 290 Deed Reference 1276/676

Critical Area Designation None Land Use Plan Designation Rural Village

Present Use and ALL improvements: Vacant/Agricultural Field/Commercial Vehicle storage.

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.
Example: Conventional, Conventional with Open Space, Planned Residential Development) Commercial

Is the property designated a historic site, or does the property contain any designated or registered historic structures?
No If yes, describe: _____

Estimated Time Requested to Present Case: Three (3) Hours.

Required Information To Be Attached

(Submit three (3) copies of each):

- (a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.
- (b) A statement of the grounds for the application including:
- (1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.
 - (2) A statement as to whether there is an
- allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.
- (c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.
- (d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:
- (1) Location of site.
 - (2) Proposed nature and distribution of land uses, not including engineering drawings.
 - (3) Neighborhood (as defined by the Applicant).

FARRELL D. WHITEFORD
TAX MAP NO. 5; PARCEL 276 and PART OF PARCEL 290

(b) (1) The Applicant maintains that there is a mistake as to the existing GI zoning. This property, as shown on the 1996 Land Use Plan, is designated "Rural Village". (See attachment (b) (1) Land Use Map & Key). The property has frontage on Md. State Route 165, which is functionally classified as a Rural Minor Arterial road. The property also has direct frontage on Dooley Road. The current GI zoning is not consistent with the Master Plan and a downzoning to a B3 would allow for needed business zoning to serve the Whiteford Community. There are extensive amounts of under-utilized GI zoned land in this area of Harford County. The majority of the industrially zoned land was first granted in 1957 in recognition of the industrial uses in the area. Many of these uses are no longer in operation. The subject property was zoned GI in 1982. There is currently an undersupply of business zoned land in the community. Harford County, as part of the Comprehensive Rezoning process, should have rezoned the subject parcel to B3 in order to make it consistent with the Master Plan and the neighborhood. The adjacent property situated at the corner of Dooley Road and Maryland Route 165 is currently zoned B3.

(2) Since the last Comprehensive Rezoning in 1989, there have been numerous changes in the neighborhood. Since 1989, there has been increased traffic on Maryland Route 165. Additionally, Harford County has granted approval to the Whiteford Sewer subdistrict project. This property is situated within the

Whiteford-Cardiff sewer service area. Other retail development has occurred in the neighborhood.

(c) The proposed reclassification of the property to a B3 use is consistent with the Village Designation on the "Master Land Use Map" (See attachment (b) (1)).

(d)

(1) See attachment (d) (1).

(2) See attachment (d) (1).

(3) Neighborhood: The neighborhood is defined as the area bordered by the Pennsylvania State line to the north and an approximate one mile radius extending from the property to the West, South and East. (See attachment (d) (3-4)).

(4) See attachment (d) (3-4).

(5) the Capital Improvement project identified in FY 1997 - 1998 CIP for this area is the Whiteford Sewer.

(e) Rezoning in the neighborhood: None.

(f) See attachment (d) (1)

(g) See attachment (d) (g)

(h) None

(i) None

(j) No Harford County water is available. Harford County sewer is available to the site pursuant to the Whiteford/Cardiff Petition Agreement.